

## **REMARKS**

### **A. Status of the Claims**

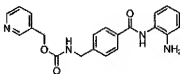
Claims 1 and 3 were pending at the issuance of the present Office Action. Claim 1 is amended as discussed below. No new matter has been added as a result of this amendment.

### **B. Claim Rejections – 35 USC §112, first paragraph**

Claim 1 is rejected under 35 USC §112, first paragraph as allegedly failing to comply with the written description requirement. In particular, the Action contends that the claims and description do not adequately describe “depsipeptides.” Claim 1 is amended so that “depsipeptides” is no longer recited. The amendment is made solely to expedite prosecution, and is not a concession as to the merits of the Action’s contention. Consequently, the rejection has been rendered moot. Applicant respectfully requests that this ground of rejection be withdrawn.

### **C. Claim Rejections – 35 USC §112, second paragraph**

Claim 1 is rejected under 35 USC §112, second paragraph as being indefinite for not providing the chemical name, a chemical structure, or a drug name for MS-275. Claim 1 has been amended to recite the following structure of MS-275:



Those of skill in the art recognize that this is the structure for MS-275 as evidenced by the product profile available at Sigma-Aldrich (copy attached). Therefore, Applicant submits that the claim as amended satisfies the requirements of 35 USC §112, second paragraph, and respectfully requests that this ground of rejection be withdrawn.

**CONCLUSION**

This is submitted to be a complete response to the outstanding Action. Based on the foregoing arguments, the claims are believed to be in condition for allowance; a notice of allowability is therefore respectfully requested.

The Examiner is invited to contact the undersigned attorney at (817) 615-5330 with any questions, comments or suggestions relating to the referenced patent application.

Respectfully submitted,

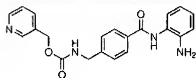
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Date: February 10, 2009

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**M5568****Sigma****MS-275** **$\geq 98\%$  (HPLC), solid****Price and Availability**

Pricing &amp; availability information is currently not available for this product

This product number has been discontinued but a similar product may be available below (if a direct replacement is available) or use the links to "similar products" t

**Synonyms:**

3-pyridinylmethyl 4-(((2-aminophenyl)amino)-3-methoxybenzylcarbamate)

**CAS Number:**

209783-80-2

**Empirical Formula (Hill Notation):** $C_{21}H_{20}N_4O_3$ **Molecular Weight:**

376.41

**MDL number:**

MFCD03453552

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